

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Mississippi

<u>Timmy Smith</u> <i>Plaintiff</i> v. <u>Humphreys County, Mississippi, et al.</u> <i>Defendant</i>)))))) Civil Action No. 4:13-cv-0061-NBB-JMV)) (If the action is pending in another district, state where:)
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**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: Mississippi Department of Public Safety, MBI c/o Jim Hood, Attorney General
550 High Street, Suite 1200, Jackson, MS 39201

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See Exhibit "A"

Place: Flechas & Associates, P.A. 318 South State Street Jackson, MS 39201	Date and Time: 05/08/2013 10:00 am
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Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: April 12, 2013

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) Timmy Smith, who issues or requests this subpoena, are:

Ronald E. Stutzman, Jr., Flechas & Associates, P.A., 318 South State Street, Jackson, Mississippi 39201;
ronnie.stutzman@gmail.com; (601) 981-9221, Ext. 206

Exhibit "A"

This Exhibit "A" is a part of the Subpoena Duces Tecum issued to the Mississippi Department of Public Safety, Mississippi Bureau of Investigation. Pursuant to said Subpoena Duces Tecum, the Mississippi Bureau of Investigation is to make available for inspection and copying the following books, papers, documents, videos, and other tangible things:

1. Any and all witness statements, records of communications, reports, findings, determinations, and any and all other documents pertaining to MBI's investigation into the October 17, 2012 beating of Timmy Smith in the Humphreys County Jail located in Belzoni, Humphreys County, Mississippi.
2. Any and all notes, photographs, diagrams or similar documents relating to the investigation of the October 17, 2012 beating of Timmy Smith which occurred at the Humphreys County Jail located in Belzoni, Humphreys County, Mississippi.
3. Any and all documents or other tangible things which were produced to, or received from, any governmental entity or governmental employee regarding or related to the October 17, 2012 beating of Timmy Smith which occurred at the Humphreys County Jail located in Belzoni, Humphreys County, Mississippi.
4. Any and all voice, video, digital, computerized, documents or other tangible records regarding or relating to the beating of Timmy Smith on October 17, 2012 which occurred at the Humphreys County Jail located in Belzoni, Humphreys County, Mississippi.

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PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for (*name of individual and title, if any*)

was received by me on (date)

- I served the subpoena by delivering a copy to the named person as follows:

Ms. Bureau of Investigation

on (date) 4-18-2013 or

- I returned the subpoena unexecuted because:

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of \$

My fees are \$ for travel and \$, for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 11/17/2013

Sarver's signature

Printed name and title

318 South State Jackson Miss. 39201
Server's address

Server's address

Additional information regarding attempted service, etc: